

YPSILANTI SENTINEL.

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WHOLE NO. 194.

GOVERNOR'S MESSAGE.

Fellow Citizens of the Senate and House of Representatives:

Having been elected, by a majority of the people, to the office of Chief Executive Magistrate of our young, but rapidly growing state, and having assumed the high obligations and responsibilities of that elevated station, by taking the oath prescribed by the constitution, I am required to communicate to you, as the representatives of the people, the condition of the state, and to recommend for your consideration such matters as I may deem expedient.

With the importance of the trust confided to me, I am deeply impressed, and of my ability to perform the arduous duties it imposes, am fearfully distrustful.

My predecessors, in accordance with a custom, adopted at the organization of our state government, have, on being inducted into office, preceded their executive communications by an avowal of their opinions, upon the general principles of government, the peculiar character of our institutions and laws, or such other topics of general interest, as seemed, at the time, most to engage the public mind.

This custom is certainly harmless, but it is, I think, as certainly, without practical utility, and as it seems best to comport with the republican simplicity of our system of government, to dispense with all unnecessary and useless ceremonies, I have deemed it proper, on the present occasion, to communicate with you, only in the mode required by the constitution.

The assembling of the year, furnished a suitable occasion for a retrospect of that which has passed.

In reviewing the year that has now just closed upon us forever, we discover abundant cause for congratulation. No severe sickness has visited the people, but general health has prevailed through the breadth and length of the land.

An unexampled degree of prosperity has attended every branch of business—the enterprise and activity of the commercial and mercantile classes have never secured for them, richer returns—those engaged in the mercantile and other industrial pursuits have found uninterrupted employment, and receive ample compensation for their labour.

Although the crop of our agricultural staple, has not, in some sections of the State, been as great, as may have been anticipated, yet in others, it was never more abundant. The harvest of other farm products, has been every where plentiful. All kinds of produce have been in demand, meeting a ready sale, at fair and remunerating prices, so that, upon the whole, the labors of our husbandmen have rewarded with a bountiful return. For these manifold blessings received from the beneficent hand of Him who ruleth the nations, we ought to render tribute of unfeigned and fervent gratitude.

The reports of the Auditor General and State Treasurer furnish a detailed statement of the transactions of their respective departments during the past fiscal year, and of the general condition of the finances of the state—an exhibition of our pecuniary affairs, which cannot but be gratifying to our creditors, and a source of pride to our citizens—I take great pleasure in presenting it to you, and through you to the people.

The receipts into the treasury within the year to the credit of the general fund, amount to \$1,853,134.46, and the disbursements for the same period, have been \$1,657,306.03, the receipts exceeding the expenditures by \$195,828.43. The balance in the treasury, on the 30th of November 1847, including the balance on hand at the close of the previous year, was \$34,470.35—the whole of which was in current money.

The amount available for the uses and purposes of the general fund, is \$144,145.77, which during the present month, will be increased to \$200,935.58, by receipts from the Primary school interest fund, and the University interest fund, for over drafts, which will be repaid from those funds, out of the proceeds of the annual tax to be received from the Central and Southern Rail Road Companies.

The laws providing for the assessment of a certain tax upon all taxable property, for the support of the state government, were repealed by the Revised Statutes of 1846 and no substitute for them incorporated therein; nor was any law enacted, for a similar purpose by the legislature of 1847.

The omission was doubtless unintentional, and its cause is probably, correctly stated in the various counties, not been uniform, upon this subject. In some, the usual state tax has been assessed; in others, no such assessment has been made. This subject will, therefore, commend itself to the early consideration of the Legislature, and its expediency will demand the enactment of a law which shall give validity to the assessment already made, and provide for the future assessment of the state tax in the counties where it has been omitted. If such remedy be promptly provided, it is believed that no serious embarrassment in the collection of the revenue from this source, will be encountered.

The aggregate valuation of the taxable property of the State, according to the returns for 1847, is \$27,617,240.13. A state tax of 21 mills on the dollar, the rate established by the law in force, prior to the adoption of the late revision, assessed on such valuation, would produce an annual revenue of \$589,043.10—\$1,379.56 less than the total assessment for the previous year.

The debt of the General Fund amounts to the sum of \$335,169.06, and includes \$100,000 for bonds chargeable upon that fund, and falling due in 1856—\$60,000 for Penitentiary bonds, due in 1859 and 1860, and a liability to the School Fund of \$129,880.61, which is in the condition of a permanent loan to the State, the annual interest of which is to be paid out of the proceeds of the proceeds of the specific tax imposed on the capital stock of the Central and Southern Rail Road Companies.

The resources of this fund, as stated, amount to \$396,621.95, besides the annual state tax, and other assets. These are considered amply sufficient for the payment of all the immediate liabilities of the fund, and it is believed they will be made available in the redemption of the bonds, above mentioned, as they reach maturity.

The receipts to the credit of the Internal Improvement fund during the year, amount to \$193,495.83, and consist principally of payments into the treasury on account of the sale of the Central and Southern Rail Roads.

The debt and liabilities of the same fund, during the same period, amount to \$129,198.79, and are comprised, chiefly, in the evidence of State indebtedness paid on account of said sales,

and which have not heretofore been charged against the fund.

The whole amount of the \$3,000,000, for which the Central Railroad was sold, together with the sum of \$37,322.14 the interest thereon, has been paid into the State Treasury in accordance with the terms of the Act providing for the sale; and on account of the sale of the Southern Rail Road 75,000 of the principal, with interest amounting to 13,500, were received prior to the close of the fiscal year.

Of the evidences of State indebtedness thus paid and cancelled, \$1,125,000, was of the full paid Five Million Loan Bonds, \$309,440.60, was in "Interest Bonds;" and the nominal amount of 199,000 of the "Part Paid Bonds," being a portion of the 3,813,000 delivered to the United States Bank, was also received at the rate of allowance prescribed by law.

The debt of the state on account of the loan for Internal Improvement may now be stated thus:

Outstanding full paid 5 million loan bonds due January, 1856, \$309,440.60	
Outstanding "Interest Bonds," issued on the above, due Jan. 1850.	57,587.20
	319,587.20

Amount of principal received on \$3,614,000 part-paid bonds now outstanding, 1,145,537.73	
Interest on the same to January 1st, 1848, 524,906.31	
	1,670,444.03

Amount received from Morris Canal assets on account of the part paid bonds with interest to Jan. 1, 1848, 30,035.95	
	1,700,480.03

Making the total amount received on said bonds,

But if from this amount be deducted damages claimed by the state, on the unpaid instalments of the loan, at the rate of 3 per cent, as is contemplated by the laws providing for the reception of said bonds in payment for the Central and Southern Rail roads, which, with the interest from July 1, 1848, to January 1, 1848, amount to

102,934.83

The total indebtedness of the state on account of all the bonds issued for the said loan with interest to Jan. 1, 1848, will then be

1,917,133.34

To which must be added for outstanding Internal Improvement warrants and interest thereon \$365,089.05, for indebtedness to the University fund \$79,271.03, and other items constituting the domestic debt, which together amount to

473,467.17

And the present indebtedness of the state on account of Internal Improvements is

\$2,390,599.51

The annual balance on the sale of the Southern Rail Road, payable by instalments, semi-annually, with interest, now amounting to \$125,000, is considered an available credit, and may therefore be properly deducted from the \$2,390,599.51. The amount of the present resources and assets of the state, or the future improvement fund, which, it is believed, will ultimately be made available, towards the payment of this debt, exclusive of other credits of the state, of doubtful availability, is estimated by the Auditor General at \$301,908.

The interest on all the full paid bonds, and interest bonds, for the first of July last, has been paid, or provided for, out of the proceeds of certain payments made by the Central Rail Road Company, and for the payment of the coupons on said bonds, outstanding and falling due in January and July, annually, amounting, now, to the sum of \$10,175.23 only; provision is made by the act to liquidate the public debt and to provide for the payment of the interest thereon for other purposes, approved March 3, 1843, but as the amount cannot be assessed until the next annual session of the Board of Supervisors in October 1848, and as the entire amount of it cannot, under the present provisions of law, be collected, and made available for the purpose intended, until the lapse of more than two years thereafter, I suggest the expediency of paying the coupons, as they fall due, out of the treasury in anticipation of the receipt of the tax applied to, provided it can be done without prejudice to claims thereon, which may be entitled to preference.

To the condition of that portion of the Internal Improvement debt, which consist of the bonds delivered to the late United States Bank, and for which the State received partial payment only, the special consideration of the legislature is invited.

To make early provision for the ultimate payment of this debt, both principal and interest, appears to me, to be an imperative duty, which we should neither attempt, nor desire, to avoid. Such a measure is, in my judgment, dictated, alike, by a wise and prudent regard for the honor and interest of the State, and by a proper appreciation of the just rights of our creditors.

That the people of Michigan intend, in good faith, to pay the public debt, I cannot doubt, and in my view, their interest will be best subserved by proceeding with out unnecessary delay to provide for its liquidation and extinguishment.

It is apparent, that if the situation of this debt, be suffered to remain unchanged for any considerable term of years, the result cannot but be prejudicial, as the payment of the original amount, largely augmented by the annually accruing interest, will have still to be provided for, and with no additional resources. The faith of the State is solemnly pledged to pay all she owes, and her citizens will fulfil the sacred obligation. To you gentlemen, her chosen representatives, is entrusted the high and of winning her honor, and I feel assured that you will discharge the duty with the most scrupulous fidelity.

The suggestions of the Auditor General in relation to this part of the state indebtedness, I commend to your special attention; the whole subject is carefully considered and ably discussed in his report which will be laid before you.

I have only to add, that in whatever measures you may think proper to adopt, for the accomplishment of the great object in view—the payment of the annual interest and the ultimate absorption of the principal of the whole public debt, as especially as the ability of the State will permit, I shall most cheerfully co-operate.

The contingent debt of the State, remains in much the same condition, in which it was stated to be, by the last report of Auditor General and seems not to require legislative action at present. Its liabilities consist of the bonds of the State to the amount of \$190,000 loaned to the Detroit and Pontiac Rail Road Company a full year, and of the same amount to the University—and of the instalments of the surplus revenue deposited by the United States in the state treasury amounting to \$233,151.49.

The report of the Commissioner of the State Land Office, shows the total receipts on account of sales of all classes of public lands, during the past year to be \$110,589.53, of which amount there was received on account of School lands

\$63,634.10

University Lands 24,591.18

State Building Lands 1,600.74

Internal Improvement Lands 30,087.06

Salt Springs Lands 858.43

The whole number of acres of school lands sold during the 30th November 1847 is nine hundred and thirty-seven, and nine hundred and ninety and 30-100 acres have been sold during the last year. The school section, on which the present seat of government is located, has been laid out by the commissioners into town lots, the appraised value of which, exclusive of the tract selected for the site of the Capitol, is \$95,527. Of these town lots, sales have been made during the year to the amount of \$18,000.

Of the University lands, to which the state is entitled, forty-four thousand four hundred and sixteen and 31-100 acres have been selected—of which nineteen thousand six hundred and six and 89-100 acres were sold prior to the close of the last fiscal year.

Of the half million acres of Internal Improvement lands, appropriated by Congress, sold by the state, and of the same lands, are estimated, of which there have been sold two hundred and sixty-three thousand and fifty-four and 21-100 acres. The legislature appropriated twenty-seven thousand acres for the erection of a bridge across the Grand River at Lyons, and the construction of a canal around the Grand Rapids, upon the same river: two hundred and two thousand four hundred and fifty and 21-100 acres remain unsold.

The balance of the grant is seven thousand four hundred and ninety-five and 50-100 acres, most of which was, by the direction of my predecessor, selected in the mineral region of Lake Superior, in pursuance of law.

To this selection, the Secretary of the Treasury at Washington refused to give his assent or approval, of which this department has been officially notified by the Commissioner of the General Land Office.

Whether such approval is made necessary by the laws of the United States, to vest in the State the title to the lands selected—and if so, whether the objection has been exercised in this case conformably to those laws, are questions requiring a careful investigation. That the action of that high functionary has been in strict accordance with his views of official duty, there is no reason to doubt; but as the subject is one in which important interests of the state are involved, it is submitted to the legislature with a view to the adoption of such measures as may seem expedient for the purpose of securing the vesting of the title in the State.

Under the act of Congress, giving its consent to the sale of the Salt Springs Lands, previously selected by the State, a portion of those lands, were, for the first time, brought into market and offered at public sale, during the past year, pursuant to the laws of the State relating thereto—seven hundred and seventy-seven and 48-100 acres were sold at the minimum of \$4 per acre.

The original selections of these lands amounted to forty-five thousand three hundred and forty-eight and 55-100 acres, twenty-four thousand two hundred and sixty-four and 10-100 acres of which, it is understood, have received the approval of the Secretary of the Treasury, from the remaining selections the approval of that officer is withheld.

Of the lands granted by Congress in aid of the erection of public buildings for the State, there remain unsold, twenty-seven thousand eight hundred and five and 51-100 acres. Certain lands were received in payment of debts due from the Michigan State Bank, and other debts of the State, valued on appraisal, at \$28,173.41, of which sales have been effected to the amount of \$5,955.62, leaving a balance unsold of \$22,567.79.

The report of the Commissioner appointed under the act providing for the removal of the seat of government, to select and designate a site in the township of Lansing, in this County, on which to erect the Capitol, and other State buildings, heretofore transmitted, and in behalf of individuals desirous of having the location made upon their own lands. All lands, connected with such propositions, were carefully explored and examined, and each proposal maturely considered by the Commissioners; they finally, however, unanimously concurred in the opinion, that the interest of the State would be best subserved, by placing the public buildings upon the sixteenth section in the Township mentioned in the act referred to, and they accordingly designated a part of that section for such purpose.

There is no subject, paramount in importance, to that of common school education—none that has a higher claim to the fostering care of the government. I am not aware that further legislation is necessary in relation to our common school system, unless it be deemed expedient to provide for the establishment of Normal schools, for the education and qualification of teachers. Such institutions, when properly conducted, have been productive of great good, and no doubt is entertained but such would be the result of their introduction into our state, affording much to form a part of our educational system. A joint resolution of the legislature approved March 4, 1847, the Superintendent of Public Instruction was required to compile so much of his annual reports for the years eighteen hundred and forty-five and eighteen hundred and forty-six, as he should deem necessary for the purpose of giving general information relative to common schools. That duty has been performed, and the "Compilation," contemplated

by the resolution, has been made by that officer and will be laid before you.

The number of inmates from which reports have been received, pursuant to law, is four hundred and twenty-five, somewhat exceeding the number by which reports were made last year.

The number of school districts from which reports have been received, is two thousand nine hundred and fifty—being eighty one more than reported last year, and the number of children reported, between the ages of four and eighteen years, is one hundred and eight thousand one hundred and thirty, showing an increase of ten thousand four hundred and seventy-two, upon the number returned in any former year.

The whole number that have attended common schools during the past year, as shown by returns from the several counties, is eighty-eight thousand and eighty-eight thousand two hundred and twenty-five more than were reported to have received such instruction the previous year.

For the year 1846, the primary school interest fund apportioned among the several counties and townships of the state, was \$27,925.72, thirty-one cents to every child reported between the ages before mentioned.

The amount divided the present year is \$31,250.54—thirty-two cents to each child entitled by law to participate in the distribution of the fund.

The whole sum expended in the state, during the year, for the support of common schools, was \$130,331.80—\$36,543.75 of which was applied to the building and repairing school houses.

There are three hundred and thirty-two libraries in the state, containing forty-three thousand nine hundred and twenty-six volumes, according to the returns of the past year, being thirty more libraries and six thousand nine hundred and thirty-eight volumes of books more than were reported in 1846.

These libraries circulate through one thousand three hundred and forty-nine school districts, two hundred and sixty-eight more than have participated in their benefits, in any former year.

The returns evince an increasing interest in all parts of the State, in behalf of common schools, and of education generally. In several villages, Union School Houses have been erected at an expense, varying from \$800 to \$1,000, and a great willingness is manifested to employ competent teachers, and to pay an adequate compensation for their services.

The increasing usefulness and prosperity of the University, cannot fail to be a source of gratification to every citizen of Michigan.

Of the twenty-six professors of the University, appointed by the organic law of the institution, seven have been already established by the board of Regents, and their claims filed, by whom instruction is given, in all the branches of literature and science usually taught in collegiate institutions of the highest grade.

Of the seven professors appointed, there is one of the Ancient languages—one of the Modern languages—one of Mathematics and Natural Philosophy—one of Moral and Intellectual Philosophy—one of Logic, Rhetoric and the Philosophy of History—one of Botany and Zoology and one of Chemistry and Geology.

The library, consisting of about five thousand volumes, is believed to be one of the most valuable, of its extent, in the United States, embracing, as it does, the most approved foreign works in the several departments of Literature, Science and the Arts.

Its cabinet of Natural History is, also, of great extent and value. The cabinet purchased of Baron Lickert, is a rare and rich collection of foreign minerals. Besides which, it has an extensive collection of American minerals, and fossils, together with suits of specimens illustrative of the Geology, Zoology and Botany of Michigan, affording altogether greater advantages to the student in Natural History, than any similar institution in this country.

The success of the University thus far has exceeded the expectations of its most sanguine friends. The number of Students now belonging to the several classes is eighty-three, and that the number will be largely increased, at the commencement of each succeeding collegiate year, there is every reason to expect.

The professors have been selected for their ability, learning and high moral qualities, and that they possess them all, in an eminent degree, is demonstrated, by the manner in which they have discharged the varied, arduous and responsible duties of their respective stations.

The finances of this favored institution, are also upon a most satisfactory footing.

A debt was early contracted in its behalf, for a loan of \$100,000 of the bonds of the state, which has been reduced, from time to time, by the sale of portions of its lands, for warrants drawn upon the Internal Improvement fund, to \$29,628.10, and the net amount of revenue, derived from all sources, during the past year, and made available, for its general use, after deducting interest due on the balance of its debt, will exceed \$15,000, about half of which has been expended in the erection of an additional building for dormitories and Lecture rooms.

Appropriations are no longer made by the Regents for the support of Branches of the University, and instruction is confined only in the Philosophy, Mathematics and Natural History.

The reports of the Adjutant General and Quarter Master General are herewith transmitted. By and order made on the 26th May last, the Quarter Master General's department was placed under the direction and control of the Adjutant General, since which, he has performed all the duties of both departments.

A strong repugnance is manifested in many sections of the state, to an organization of militia. Serious embarrassments have been encountered, consequently, by the Adjutant General, in his effort to obtain from the civil authorities of the various townships and counties, prompt and accurate returns of those liable to military duty. Those embarrassments, however, have been, in a good degree, overcome, by the zealous and untiring exertions of that efficient officer, to whom the state is principally indebted for the progress thus far made in the enrollment of the militia.

The whole numerical strength of the militia of the state is estimated at sixty thousand, embracing those actually enrolled, such as are liable to military duty but not yet returned, teachers with active or honorary ranks. I am much indebted to the favorable action of the Legislature, the proposition of the Adjutant General, to appropriate to the purpose of an armory the rooms hitherto occupied by the Auditor General and State Treasurer, in the state building in the city of Detroit. The reasons urged by him for such use of the rooms in question, are certainly reasonable, and to some mind, entirely satisfactory. They are fully detailed in his report.

I concur in opinion with the Adjutant General,

also, with regard to the propriety of placing at the disposal of his department, a fund sufficient to defray its necessary incidental expenses.

On the 10th of May 1846, a requisition was made by the War Department, upon the Executive of this State, for the enrollment of a regiment of volunteer infantry, of ten companies to be held in readiness for active service, when called for by the President.

By a joint resolution of the legislature, approved February 13, 1847, the sum of ten thousand dollars was appropriated, to be applied in the discretion of the Executive, in fitting out any volunteer regiment, battalion or company, that might be called from this state, to serve in the war with Mexico.

In October last an order was issued by direction of the President, for mustering these troops into the service of the United States, and the measures necessary to secure a compliance with that order, were taken without delay, by the proper authorities of the State. Officers of the Regiment, and of the several companies, have been appointed and commissioned, and although the required number of rank and file, in some of the companies, has not yet been completed; the regiment, nevertheless, has been mustered into the service of the United States, and six companies have marched to the seat of war.

The commanders of the four companies remaining, give assurance that their respective commands will be speedily filled, and the whole in readiness to follow those who have preceded them.

An account of the disbursements made, and to be made, under the joint resolution referred to, will be submitted to you, when the object to which they are applicable, shall have been fully accomplished.

The amount thus expended, will, in due time, be reimbursed to the State Treasury, by the General Government.

The promptitude with which our fellow citizens responded to this call, affords an earnest that they will cheerfully encounter any hardship or danger, for the vindication of their country's honor or the maintenance of its rights. They are entitled to our warm and unmeasured thanks; and that they may be "saved from the hands of our enemies"—"preserved from all perils," and restored to their respective families and friends, should the prayer of every American be answered, and christian, be offered to him who is alone, the giver of victory.

I do not propose an investigation of the causes, which have led to our present unhappy relations with Mexico, nor a vindication of the policy, by which our government has been guided in the prosecution of the war with that Republic.

It might be supererogation. It is sufficient to say, here, that the war was neither sought nor commenced by our government; we were forced into the position, we now occupy, by the aggressive acts of Mexico herself.

She invaded our territory with her armed soldiery, and there shed the blood of our citizens. No choice was left for us; to oppose force with force—drive the invader from our soil—vanquish her armies—capture her soldiers—subjugate her cities and towns—occupy and govern her country—were contributions upon her inhabitants for the support of our army, until she could acknowledge our right to make reparation for the long catalogue of injuries, committed by our citizens, was the imperative duty of our government.

That it has unflinchingly faithfully performed, and the efforts thus far made, have been crowned with triumphant success. From Palo Alto to Buena Vista, and from Vera Cruz to Mexico the march of our army was but a continued series of victories. Our brave troops, officers and men, have covered themselves with unflinching glory.

It is a heroic band, composing the American army in Mexico, none have served their country more faithfully, bravely, and successfully than those from our own State; officers and privates, regulars and volunteers, all have devoted themselves to their country's cause, with a determined energy and unconquerable courage, that would have distinguished an army of veterans. They have poured out their blood like water, and their crippled limbs and mutilated bodies are sad but truthful monuments of their deeds of daring upon the battle-field.

They, with all their compatriots in arms, merit our highest praises and our deepest gratitude.

The fiscal year of the State Prison has hitherto terminated on the 31st day of October, but by the Revised Statutes of 1846, its accounts for the year are to be closed on the 30th November, producing uniformity in that respect, between it and the other departments. Consequently the report of its officers for the present year, will embrace a period from the 1st of November 1846, to the 30th of the same month in 1847, both inclusive.

The number of convicts remaining in the prison on the 31st of October 1846, was one hundred and twenty-two. Forty-four were received between that date and the 30th of November 1847. During the same period, fourteen were pardoned—twenty-four were discharged by expiration of sentence—three died, and two escaped; and on the day last mentioned, the number remaining was one hundred and nineteen.

A large proportion of the labor of the convicts has, during the past year, as in previous years, been performed for individuals, upon contracts thirty thousand four hundred and thirteen days work have been performed, at an average of about thirty-one and two-thirds cents per day, amounting in the whole, to \$8,620.27. The estimated value of convict labor performed for the state is

2,665.95

Making their total earnings, \$11,286.22

The total receipts of the prison from the state treasury, from contractors for convict labor, and from all other sources, during the 13 months before specified, were \$18,429.03; and the total expenditures for salaries, subsistence, and all other purposes, during the same period, were \$18,000.42; leaving a balance on hand, Nov. 30th, 1847, of \$368.61.

Our Judiciary system will claim your early and careful attention.

A prompt, efficient and wise administration of the laws, is alike essential to the maintenance of public and private rights, and the redress of corresponding wrongs.

By the late revision of our laws, the previously existing judiciary system underwent many material and important alterations.

The office of Chancellor was abolished, and its duties added to those of the Judges of the Supreme Court, then too onerous to be much longer borne by those officers.

To the Chancellor had been committed the administration of equity jurisprudence, for the

whole state—to him had been given original jurisdiction in all cases where resort was to be had to remedies purely equitable, and his decrees terminated the litigation, in a very large proportion of the suits brought before him.

The business of that court, from its organization to its abolition, steadily and rapidly increased, and during the last years of its existence, accumulated largely upon its docket, notwithstanding the ability and untiring industry of the distinguished individuals, who, at different periods, sat upon its bench.

By the same revision, the district court, a tribunal established for the administration of Criminal Justice alone, in four of the large counties was abolished also, and its duties thrown upon the Judges of the Supreme Court.

In the Supreme Court, too, there has been a great increase of business during the last few years, especially in the First Judicial Circuit, where causes had accumulated from term to term until at the close of the last session, a long calendar remained undecided.

Delay of Justice, to the man of business, is almost equivalent to its denial; for its speedy administration, therefore, every practicable facility should be afforded.

With a view to relieve the Judges of the Supreme Court, from the great pressure anticipated, from casting on them, the business of the Chancery and Criminal Courts, another tribunal was created, the effect of which has been it is true, to reduce somewhat the labor of the Judges, presiding at the Circuit.

Such reduction, however, bears but a small proportion to the increase of their labor consequent upon the abolition of the two Courts just mentioned.

It is apparent, then, that with our present judicial force, with the system now existing, justice cannot be administered with the promptitude which the public interest requires, and which private suitors have a right to demand.

How shall the evil be remedied? Several modes have been suggested. One a restoration of the system superseded by the revision of 1846, with an additional justice of the supreme court.

Another, an enlargement of the powers of the county courts, giving to those tribunals general jurisdiction in all actions of the law, civil and criminal; and again it has been proposed to retain the present system unchanged, except by the addition of two justices to the court of last resort.

On the score of economy, the first, I can assure, is entitled to a decided preference. I believe no such law has yet been devised, under which so large an amount of judicial labor can be performed, at the same expense, as the one adopted on the organization of our state government.

Several individuals, of competent ability, would unquestionably, perform the whole judicial service of the state (except such cases as properly fall within the jurisdiction of the Probate courts and justices of the peace) for many years to come, and that too, without the aid of local judges.

We now have in office, thirty-six judges, and four injunction masters, who are for many purposes, under the laws now existing, very valuable auxiliaries.

Strong objections exist, in the minds of many, to a court of chancery, as a distinct tribunal; but it has always seemed to me that so long as a distinction be observed between legal and equitable remedies, those remedies could be most conveniently, safely and cheaply administered when committed, to separate jurisdictions.

If, however, you should deem it inexpedient to restore the court of Chancery, and yet believe it judicious to restore the former system, excluding that tribunal, the appointment of additional judges of the supreme court may be provided for with a corresponding number of judicial circuits, and each judge, as now, made a chancellor for his circuit.

In case it may be determined to retain the present system, I respectfully recommend a careful revision of the law establishing county courts, many of the provisions of which are, by their practical operation, shown to be defective; and should you think it unwise to increase the force upon the bench of the court of last resort, it would seem necessary that the jurisdiction of the county courts should be much enlarged.

Should those courts be invested with general jurisdiction in all actions at law, civil and criminal, relieving the judges of the supreme court from the trial of issues of fact, I doubt not, but those judges would be enabled to perform all the duties of the latter tribunal, and of the chancellors also, in their respective circuits.

With such a reorganization of the county courts, compensation should be provided for the judges, proportionate to the labor to be performed, and the responsibilities assumed by those officers.

Their salaries, should, I think, be paid out of the several county treasuries, the amounts being either fixed by law, or determined by the supervisors according to the business of those respective counties.

The compensation of judicial officers of no considerable dignity and importance as the county judges will be, invested with jurisdiction, I have supposed, ought to be derived from suitors at their bar, as fees, for the performance of official duty—certainly not directly.

Our constitution teaches an instructive lesson upon this subject.

The sixth article of this instrument, after providing for the appointment of the Supreme Court declares that "they shall receive an adequate compensation &c. But they shall receive no fees nor perquisites of office. That provision will be applicable in all its force, to the county judges if they be clothed with general jurisdiction in all actions at law.

If general criminal jurisdiction be to be conferred on those tribunals, jurors both grand and petit, must be summoned before them, at stated terms to be fixed by law.

That some further provision is absolutely necessary for the administration of criminal justice, in the large counties, more especially in the counties of Wayne, Oakland and Washtenaw, does not admit of question.

Under the present system, with semi-annual terms only, of the only court of original jurisdiction in criminal cases, persons charged with crime, accumulate in the county jails, and the counties to great expenses for their care and support, and frequently the prisoners themselves, to great suffering, and that too, before they are convicted of any crime.